



COUNTY OF LOS ANGELES DEPARTMENT OF HUMAN RESOURCES

579 KENNETH HAHN HALL OF ADMINISTRATION/LOS ANGELES, CALIFORNIA 90012
(213) 974-2406 / FAX (213) 621-0387

MICHAEL J. HENRY
DIRECTOR OF PERSONNEL

June 18, 2004

To: Each Supervisor

From: Michael J. Henry
Director of Personnel

David E. Janssen
Chief Administrative Officer

Subject: **EMPLOYEE IDENTIFICATION BADGES**

On May 18, 2004, on motion of Supervisor Burke, as amended by Supervisor Knabe, your Board instructed the Chief Administrative Officer and the Director of Personnel, in consultation with County Counsel and affected Department Heads, to report back to the Board in 30 days with the following:

1. Findings, recommendations and actions taken for employee identification system improvements needed Countywide for positions involving trust or authority relationships with the public such as County employees whose job it is to enter residents' homes and/or businesses to obtain or access confidential information; and
2. Whether current law provides criminal penalties for wrongful possession or use of an employee identification badge for all such public trust and public authority positions.

BACKGROUND

On January 16, 2002, the Chief Administrative Officer issued to all Department and District Heads an Identification Card Policy for County Employees and Guidelines for Secured Access to County Departments (see attached). The Identification (ID) Card Policy requires all County employees to wear and properly display County ID cards, establishes standardized criteria and guidelines for County ID Cards, and requires the Office of Security Management (OSM) to compile an officially approved reference guide depicting all County Department ID Cards. In addition, under the Guidelines for Secured Access to County Departments, County Department and District Heads were required to provide a report to the Chief Administrative Office on all security enhancements initiated, being purchased or constructed, or approved for implementation as a result of the September 11 terrorist incident. Department Heads are also required to certify in writing to the OSM annual completion of an OSM Security Preparedness Audit.

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CURRENT LAW

Los Angeles County Code, Chapter 5.64 (the County Badge Ordinance), provides for the use of badges, insignias, seals and identification cards as follows:

- Departments are required to keep records of all badges and identification cards issued to employees.
- Employees are required to return badges and identification cards whenever they sever their connections with County Departments and are to receive written statements verifying that they have returned the badge and/or identification card.
- If badges and/or identification cards are lost or stolen, employees are required to file police reports, provide copies of the police reports to their Departments, and pay for the replacement costs of such badges and identification cards.
- Persons may not have in their possession any official badge or identification card of the County or its special districts which has not been issued to them according to the provisions of the applicable ordinance or resolution, or after the right to wear such badge or identification card has been terminated.
- Persons may not have in their possession any badge or identification card that so resembles an official badge or identification card of the County that it may be readily mistaken for such an official badge or identification card.
- No County badges (other than Deputy Sheriff badges), may be issued, except by order of the Chief Administrative Officer.

Any person, firm or corporation violating any of the provisions of the County Code regarding badges, insignias, seals and identification cards is guilty of a misdemeanor punishable by a fine of not less than \$25 and not more than \$100, or by imprisonment in the County Jail for not more than 60 days, or by both such fine and imprisonment. The County Code further provides that it is a misdemeanor to unlawfully retain a County badge issued after April 8, 1980, except with specific authorization. Violation of that provision is punishable by a fine of up to \$500 or imprisonment in County jail for a period of up to six months, or both. Penalties outlined in this Ordinance apply only to criminal violations committed in the unincorporated areas of Los Angeles County.

California Penal Code Section 538 (d) provides that any person other than a peace officer, who intentionally and unlawfully misuses, makes or sells the badge, uniform, identification card, or other identifying items of a peace officer is guilty of a misdemeanor. Violation of this provision is punishable by imprisonment in a County jail for a period of up to one year, by a fine of up to \$15,000, or by both fine and imprisonment.

State Assembly Bill 1153, (sponsored by Los Angeles County) was enacted on March 5, 2004, under the urgency statute allowance to amend existing Section 538(e) of, and add Section 538 (g) to, the Penal Code relating to crimes and penalties, to cover badges and associated photographic ID Cards used by all government officers in the State of California who act in an official capacity to protect the health, safety, and welfare of the community, as follows:

- **Section 538(e)** provides that any person who unlawfully misuses the badge or uniform of an officer of a Fire Department or a Deputy State Fire Marshal is guilty of a misdemeanor. Such a crime is punishable by imprisonment in the County jail for a period of up to one year, by a fine of up to \$2,000, or both imprisonment and fine. Unlawful sale or manufacture of any badge of an officer of a Fire Department or Deputy State Fire Marshal, is a misdemeanor punishable by a fine of up to \$15,000.
- **Section 538(g)** provides that it is a misdemeanor for any person other than a State, county, city, special district, or city and county officer or employee, to willfully and unlawfully wear, exhibit, misuse or willfully or unlawfully manufacture, sell, loan, give or transfer identification cards or insignias of a County or a special district officer or employee. Violation of the provision is punishable by a fine of up to \$15,000.

Los Angeles County Code Chapter 6.24.040, provides that an employee's accrued benefits may be withheld for up to three months after termination at the County's option, at the discretion of the Department Head, with the approval of the Chief Administrative Officer. This provision may be exercised by Department Heads to encourage employees to return their ID cards when they are terminating County service. The Code does not provide for withholding of salaries after termination.

ACTIONS TO BE TAKEN

We believe the above provisions provide the appropriate authority for Departments to monitor, control, and seek prosecution for abuse of badges and ID cards. However, we have not determined if Departments are uniformly enforcing these provisions. Therefore, we will be taking the following actions:

- We will send a reminder to all Department Heads regarding the importance of ensuring compliance with the County Code provisions pertaining to badges and identification cards and will reissue the Identification Card Policy for County Employees and Guidelines for Secured Access to County Departments.
- The Department of Human Resources will incorporate a review of employee badge and identification card control practices as part of its systematic audits of departmental human resources practices.

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- We will convene a task force comprised of representatives from several key County departments to explore the feasibility of developing a Countywide ID badge system.

The Department of Health Services will be reporting to the Board separately regarding steps it has taken to make sure that former employees do not have access to patients or confidential patient information.

If you have any questions, please contact either of us or your staff may call Susan Toy Stern, Chief Deputy, Department of Human Resources, at (213) 974-2631 or Lieutenant Karen Green, Office of Security Management, Chief Administrative Office, at (213) 893-2069.

MJH:DEJ
STS:SBH:ck

Attachment

c: Executive Officer, Board of Supervisors
County Counsel
Health Services
Office of Public Safety

H:\BurkelD MotionResp.604rev3



County of Los Angeles

CHIEF ADMINISTRATIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012
(213) 974-1101

DAVID E. JANSSEN
Chief Administrative Officer

Board of Supervisors

GLORIA MOLINA
First District

YVONNE BRATHWAITE BURKE
Second District


ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

January 16, 2002

To: Each Department and District Head

From: David E. Janssen 
Chief Administrative Officer

IDENTIFICATION CARD POLICY FOR COUNTY EMPLOYEES AND GUIDELINES FOR SECURED ACCESS TO COUNTY FACILITIES

On September 25, 2001, the Board instituted a policy through December 31, 2001 requiring all County employees inside County facilities to wear and display their County Identification (ID) Cards, and uniformed sworn personnel to have their ID Cards in their possession at all times. On December 11, 2001, during a Closed Session, the Board approved the indefinite extension of the guidelines and standardized the information contained on the cards in accordance with County Ordinance 7753, Section 5.64.340. In addition, the Board approved security access guidelines for all County facilities.

COUNTY IDENTIFICATION CARDS

Effective immediately and on an indefinite basis, all County employees are required to wear and properly display their County ID Cards. Please see Attachment A for the standardized ID Cards criteria and guidelines. To ensure compliance, please note that each County Department or District Head is required to forward a **blank, original** ID Card, either **currently issued** or **newly designed**, to the Officer in Charge, Office of Security Management (OSM), Room 785, Kenneth Hahn Hall of Administration, by **February 15, 2002**.

The Officer in Charge, OSM, by **March 31, 2002**, will compile an officially approved reference guide depicting all County Department ID Cards. In the event that a Department wishes to change its ID Card design in the future, a blank, original should first be forwarded to the OSM prior to the official issuance of the new ID Cards. The OSM will update the reference guide to include any new designs as they occur.



United We Stand

Each Department and District Head
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SECURITY AT COUNTY FACILITIES

Guidelines regarding security access at County facilities is being provided for the protection of County employees and persons conducting business at County facilities (Attachment B). These guidelines should be adhered to within the strictest standard possible.

By **February 15, 2002**, each Department or District Head is required to provide a report that includes security enhancements that have been initiated, are currently being purchased or constructed, or have been approved for implementation in the immediate future, as a result of the September 11 terrorist incident. Included in the report should be the date of completion or planned date of completion of the enhancements, along with anticipated costs and sources of funding. Please forward the final response to Rick Cavataio via fax at (213) 217-5112, or via email at rcavatai@cao.co.la.ca.us.

By **March 31, 2002**, and annually thereafter by each March 31, each Department Head, including the Security Director of the Los Angeles County Music Center complex, shall certify in writing to the OSM that the revised OSM Security Preparedness Audit (Attachment C) has been completed. These certified audit results will be submitted to the Board of Supervisors for their information.

If you have any questions, please contact me at (213) 974-1101, or your staff may contact Wendy Watanabe of my staff at (213) 974-1136.

DEJ:DL
WW:LJ:ljp

Attachments

ldbadges-d&dh.m

ATTACHMENT A

COUNTY IDENTIFICATION CARDS

As a result of a Board Motion, September 25, 2001, it became effective immediately, that all employees while inside County facilities would wear and display their County Identification Cards, including the requirement that uniformed sworn personnel would have their Identification Cards in their possession at all times.

It is recommended the above policy be continued indefinitely pending revision or elimination by Board action.

Additionally, the following policies should be approved as they relate to County Identification Card standards and display policies.

1. County Identification Cards shall be worn visibly on or over an outer garment, while an employee is in any County building. This policy may only be modified by a Department Head, who may request the modification to this policy in writing, providing a justification for the change and the specific limits of the modification. A copy of this request shall be forwarded to the Officer in Charge, Office of Security Management (OSM), Los Angeles County, Chief Administrative Office, Room 785, Hahn Hall of Administration.
2. The provisions of this policy shall be enforced by each Department Head.
3. County Identification Cards shall comply with the following standard requirements per County Ordinance 7753, Section 5.64.340.
 - Shall contain the County seal or graphic of the appropriate Badge and designate the Department the employee is employed by, and shall contain at least the following identifier information.
 - A. Recent photograph of the employee (within last five years);
 - B. Full name of the employee, their employee number, and Departmental title;
 - C. Signature of the employee and the approving authority;

- D. The card should indicate the birthdate, height, eye color, hair color of the employee;
- E. The card should be numbered by the issuing Department;
- F. The card may contain medical information (e.g., blood type) if that information is supported by competent medical documentation;
- G. Should be approximately 3 ½ inches wide by 2 ½ inches high;
- H. Should indicate the date issued and any expiration date established by the issuing Department;
- I. The completed cards must be laminated securely both front and back.

Departments whose ID cards do not meet the above standard, should begin a replacement process to be completed by July 1, 2002.

4. Each Department shall send a blank copy of all approved, currently issued, Identification Cards (as issued, not a black and white copy) to the Officer in Charge, OSM, by February 15, 2002. Any newly designed Identification Card shall be sent to OSM prior to official issue.

The Officer in Charge, OSM, shall compile an officially approved reference guide, depicting all County Department Identification Cards, by March 31, 2002, and shall make that document available to appropriate Department representatives who may be required to establish or maintain security at County facilities.

5. Currently provided or privately purchased plastic identification badges do not comply with the requirement for County employees to wear County issued identification while in County buildings.
6. Uniformed, sworn, County personnel, shall maintain their Identification Cards in their possession at all times when they are on duty or in uniform.
7. Per County Ordinance 7753, Section 5.64.330, the loss or theft of a County Identification Card must be immediately reported to the law enforcement agency having jurisdiction where the loss or theft occurred. The affected employee must also report the loss or theft to the Office of Security Management via a Security Incident Report within 24 hours. A copy of the police crime report must also be attached indicating the County employee's name, Department, the police agency contacted, and the police report number.

ATTACHMENT B

SECURITY AT COUNTY FACILITIES

As a result of the Terrorist Attack on September 11, 2001, security at all County facilities was enhanced in order to provide additional protection for County employees and persons conducting business at these County facilities.

The nature of government requires it to be open to the public it serves. The business of government must continue with the least interruption possible taking into consideration the current need for vigilance and security.

SECTION B-1

The following guidelines for security at all County facilities should be adhered to within the strictest standard possible.

Each County building manager or designee shall ensure the following issues are audited, utilizing the revised Office of Security Management (OSM) Security Preparedness Audit (attached) by March 31, 2002.

- Department Heads and building managers of wholly owned County facilities should conduct the Security Preparedness Audit, which evaluates target potential of especially sensitive sites. The appraisal should review hardening the target steps to include physical security enhancements. These might range from fencing to card key access, parking restrictions, and may include security posts.
- Building managers of County leased space should first review the County occupied space for security concerns. Those areas, which can be security enhanced, should be done immediately. Secondly, the manager should review overall building security and make recommendations to the building owner.
- A security survey may be requested through the Office of Security Management, CAO, (213) 893-2069 or the Office of Public Safety, Research, Planning, and Training Unit at (562) 940-8381.
- Review whether points of ingress, egress, are controllable, secured, or monitored. Ensure exterior doors are not propped open for the convenience of employees.

- Ensure all County employees wear their County issued Identification Cards as required. Ensure employees control access to secure, sensitive areas by anyone not authorized access. Report violations immediately to the appropriate authority.
- Conduct monthly walk-throughs to ensure compliance with established security standards. Ensure the distribution to all employees, of appropriate County bulletins regarding security/safety issues.
- If mail is distributed, establish a protocol for handling suspicious letters and packages.
- Where contract security guards are present, ensure Post Orders are available, read and understood by each guard (to include operations of magnetometers, hand wands, search and notification procedures, etc.).
- Develop a written plan to immediately secure the building should an emergency occur requiring that action. Ensure the building evacuation plan is current, and tested annually. Ensure a Building Emergency Coordinator (BEC) is appointed and up-to-date with all emergency procedures. The plan should address communications protocol designed to control and coordinate the evacuation (to reduce conflict with responding emergency services) and address tactical considerations of whether to immediately evacuate or hold personnel in place, based on the incident and overall safety of building occupants.
- Post emergency phone numbers at locations of most probable need.
- Ensure any County alarm system is tested and exercised minimally each six months.
- Any County facility with a loading dock should establish protocol to: identify all vendors; shipments must be verified by contacting the addressee of the delivery; and deliveries must be pre-arranged.

Each Department Head shall provide a report, addressed to the CAO, enumerating all those section enhancements that have been put in place, are currently being purchased or constructed, or are approved enhancements, which will be put in place in the immediate future, as a result of the September 11 terrorist incident. The date of completion or date of planned completion will be included along with the anticipated cost and source of funding. This report shall be forwarded to the CAO by February 15, 2002.

Each County building manager shall certify in writing through their respective Department Head to the office of Security Management that the revised OSM Security Preparedness Audit has been completed. This notification shall be forwarded to OSM by March 31, 2002, and thereafter, annually by each March 31st (the Security Director of the Los Angeles County Music Center complex shall comply with the above requirements).

SYN. NO. 66AGN NO. 4

MOTION BY SUPERVISOR YVONNE BRATHWAITE BURKE

September 25, 2001

The recent terrorist events which killed and injured many Americans were a rude awakening to the fact that tragedy can strike anyone, anywhere. Los Angeles County is a high-profile, international leader in many respects, and we cannot be lax or complacent in our attitudes towards awareness and safety. Unfortunately, tragedies and disasters can also strike from sources other than terrorism. With over 90,000 employees, LA County is the largest employer in a five County region. Accordingly, as employers, we must do all we can to ensure a safe work place for our employees.

Immediately after receiving word of the terrorist tragedies, the County's Emergency Operations System was activated. County staff and facilities were placed on a heightened state of alert, and employees were asked to keep their County identification with them at all times.

In many public and private buildings throughout the County, State, and the country, many individuals wear and display their identifications cards to identify them as employees. In some instances this is to allow access to restricted areas. For other reasons, it is so that employees can be easily identified. I'd like to ask that County employees now wear and display their County identification cards.

-M-O-R-E-

YBB:RT:njr (9-25-01 County IDs motion)

SEP 25 2001

MOTION

B/A

ADOPT:

Molina

Burke

Yaroslavsky

Knabe

Antonovich

reg'd CAO to report back on Oct 23, 2001
a plan for access to HoA as well
as consistent plan for all County
Hdqs & to identify appropriate
use of badges or other means
of identification for visitors

This is not meant to restrict access by the public to County services. I am not saying that the public *must* check in when they enter *all* County facilities and receive a visitor's pass, although this practice is in place at our hospitals and detention facilities, to name a few facilities already engaged in this practice. This measure is intended to merely identify County workers, and to identify those who may be in areas restricted to the public. Our mission is to serve the public, and by wearing our identification cards, our public can also place a name to our face, which has always been a tenet of good customer service.

THEREFORE, I MOVE THAT THE BOARD OF SUPERVISORS:

1. Institute a policy, effective immediately, that all employees while inside County facilities wear and display their County identification cards, and that uniformed, sworn personnel have their identification cards in their possession at all times;
2. Declare this policy to be in effect until December 31, 2001;
3. Instruct the Chief of the Office of Public Safety, Officer in Charge of the Chief Administrative Officer's Office of Security Management, and the Director of the Department of Human Resources, and request the Sheriff, to evaluate the effectiveness of this program, and report to the Board by December 11, 2001 with their recommendations on whether this should be a permanent County policy.

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